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*Attorneys for Defendant Barry C. Honig*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

CREIGHTON TAKATA, Individually and on  
behalf of all others similarly situated,

Plaintiff,

vs.

RIOT BLOCKCHAIN, INC. F/K/A, BIOPTIX,  
INC., JOHN O'ROURKE, and JEFFREY  
MCGONEGAL,

Defendants.

Civil Action No.: 18-2293(FLW)(TJB)

**STIPULATION AND  
[PROPOSED] ORDER EXTENDING  
DEFENDANT HONIG'S TIME TO  
RESPOND TO LEAD  
PLAINTIFF'S CORRECTED  
CONSOLIDATED AMENDED CLASS  
ACTION COMPLAINT**

**WHEREAS**, Lead Plaintiff filed his Consolidated Amended Class Action Complaint for Violations of the Federal Securities Law on May 8, 2019 (ECF No. 72), which was corrected on May 10, 2019 (ECF No. 73)(the "Corrected Complaint");

**WHEREAS**, following a conference among counsel, and a stipulation submitted by the served parties (ECF No. 83), on July 15, 2019 this honorable Court entered an Order directing Defendants Barry Honig, Riot Blockchain, John O'Rourke, Jeffrey McGonigle and Catherine

Defrancesco would answer or otherwise respond to the Corrected Complaint by September 3, 2019 (ECF No. 84);

**WHEREAS**, the Court further ordered that if the Defendants identified in the order were to serve dispositive motions in response to the Corrected Complaint, then: (i) Lead Plaintiff shall serve his opposition papers on or before October 1, 2019 and Defendants (ii) Defendants shall serve their reply papers on or before October 22, 2019 (ECF No. 84);

**WHEREAS**, Defendant Barry Honig intends to file a motion to dismiss the Corrected Complaint, but his ability to timely finalize and final the motion over the past weekend was impacted by Hurricane Dorian;

**WHEREAS**, the parties have conferred concerning a **two day** extension of time to allow for Mr. Honig's filing of his motion to dismiss;

**WHEREAS**, counsel for defendants Riot Blockchain, John O'Rourke, Jeffrey McGonigle and Catherine Defrancesco have been advised of this stipulation and do not oppose it;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by counsel for the parties listed below, that:

1. On or before September 5, 2019, Barry Honig shall file his Motion to Dismiss the Corrected Consolidated Amended Class Action Complaint (ECF No. 73), and
2. Lead Plaintiff shall serve his opposition papers on or before October 3, 2019, and the deadline for Mr. Honig to file his reply papers shall remain October 22, 2019.

Dated: September 3, 2019

Respectfully submitted,

**SHEPPARD, MULLIN, RICHTER  
& HAMPTON LLP**

By: /s/ Tyler E. Baker

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*Counsel for Lead Plaintiff Dr. Stanley Golovac  
and Lead Counsel for the Class*

SO ORDERED this \_\_\_\_ day of September, 2019.

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HONORABLE FREDA L. WOLFSON  
United States District Judge